

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

SWISSDIGITAL USA CO., LTD.,

*Plaintiff,*

v.

WENGER S.A.,

*Defendant.*

Civil Action No. 6:21-cv-453

Jury Trial Demanded

**DECLARATION OF JEAN-DANIEL BUSSARD**

I, Jean-Daniel Bussard, declare as follows:

1. I am the Chief Financial Officer of Wenger, S.A. (“Wenger”). As CFO, I have personal knowledge of the facts set forth in this declaration based on my work with the company, my review of corporate records, and my consultation with other persons.
2. I provide this declaration in support of Wenger’s Motion to Dismiss in the above-captioned matter. I have personal knowledge of the following, and if compelled to testify, I could and would competently testify thereto.
3. Wenger S.A. is a Swiss corporation organized under the laws of Switzerland. Wenger’s headquarters are at Route de Bale 63, Delemont, Switzerland, CH-2800. Wenger S.A. is a 100% subsidiary of Victorinox AG, Ibach-Schwyz, Switzerland.
4. Wenger does not manufacture, sell, offer for sale, or import the accused products in Texas.
5. Wenger does not provide any services relating to the accused products in Texas.
6. Wenger does not have any offices, facilities, warehouses, or other places of

business in Texas.

7. Wenger does not own any real property or other assets in Texas.
8. Wenger does not have any employees in Texas.
9. Wenger does not have a telephone number or a mailing address in Texas.
10. Wenger is not registered to do business in Texas.
11. Wenger is not required to and has not maintained an agent for service of process in

Texas.

12. Wenger does not pay taxes in Texas.
13. Wenger has registered trademarks in "SWISSGEAR" and "SWISSGEAR BY WENGER" (the "SwissGear Marks").

14. Wenger does not manufacture, sell, offer for sale, distribute, advertise, or market luggage or travel gear with the SwissGear Marks, on the website <https://www.wenger.ch/us/en> or otherwise.

15. Wenger through its sister company Victorinox Swiss Army SA , Route de Bâle 63, Delémont, Switzerland, has licensed the use of the SwissGear Marks to Group III.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on November 2, 2021 in Delémont, Switzerland.

  
Jean-Daniel Bussard